

During a Telephone conversation with Examiner L. Pham on June 15, 2004, the undersigned brought this fact to the attention of the Examiner, who suggested that the excluded claims be added to the appropriate Group when responding to the Restriction Requirement. Applicant has added the newly presented claims to the appropriate groups prior to making an election as follows:

(1) Group I (Claims 1-14, 16-24, 26-39 and 44-46 drawn to a process of making semiconductor device, classified in class 438, subclass 197); and

(2) Group II (Claims 15, 25, 40 and 41-43 drawn to a semiconductor device, classified in class 257, subclass 288)

Accordingly, in response to the Restriction Requirement, Applicant elects as follows:

Applicant hereby elects for further prosecution the claims of Group I (1-14, 16-24, 26-39, and 44-46) drawn to a process of making semiconductor device, classified in class 438, subclass 197.

This election is made with traverse.

Applicant has included claims 42-43 among the claims of Group I because, even though the preamble recites "method of," claims 42-43 are intended to be directed to "field-effect transistor," as it is evident from their dependence from claim 41, which is directed to a "field-effect transistor."

Applicants respectfully submit that a search relating the process of making semiconductor device will necessarily produce art relating to the semiconductor device itself.

Therefore, the Restriction Requirement should be withdrawn and both Groups, i.e., Group I and Group II, should be examined because examination of both method and device claims will not be burdensome.

Applicants respectfully request examination of this application and allowance of the pending claims.

Respectfully submitted,

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By:

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